

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of: James F. BROWN et al.

Application No.: 10/798,857

Confirmation No.: 7179

Filed: March 11, 2004

Art Unit: 1641

For: METHOD FOR DETECTING THE PRESENCE  
OF A SINGLE TARGET NUCLEIC ACID IN A  
SAMPLE

Examiner: C.L. CHIN

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**REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request that inventorship of the above-captioned patent application be corrected to add the following co-inventor: Jonathan E. Silver. The inventorship error occurred without deceptive intent on the part of the omitted and named inventors.

In support of this request, the following documents are submitted herewith: an executed Substitute Declaration; an Assignment executed by Jonathan E. Silver; Statement by Jonathan E. Silver, M.D., that the error in inventorship occurred without deceptive intent; and two Statements under 37 C.F.R. § 3.73(b) indicating the consent of co-Assignees Applied Biosystems, LLC, and the United States of America, as represented by the Secretary, Department of Health and Human Services.

The U.S. Patent and Trademark Office is respectfully requested to correct the inventorship and to enter the enclosed Substitute Declaration, Assignment, and Section 3.73(b) Statements.

Applicants submit herewith via credit card authorization using the PTO Electronic Filing System a \$130.00 processing fee.

Should any extension of time and/or additional fee(s) be necessary for timely submission of this paper, such extension of time is hereby requested, and the Commissioner is hereby authorized to charge Deposit Account No. 50-4126 (Order No. 1002.0043-03000). Any deficiency or overpayment should be charged/credited to this deposit account.

Dated: September 24, 2010

Respectfully submitted,

By: /Susanne T. Jones, Reg. No. 44,472/  
Susanne T. Jones  
Reg No.: 44,472

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**STATEMENT BY JONATHAN E. SILVER IN SUPPORT OF REQUEST FOR  
CORRECTION OF INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(a)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Jonathan E. Silver hereby declare that my name is being added as an inventor in the above-identified application because such addition is necessitated by the presently pending claims. I further declare that the inventorship error occurred without deceptive intention on my part.

Jonathan E. Silver

Signature:

Jonathan E. Silver

Date:

8/26/10